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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 JON STEVENS,

11 Petitioner,

No. CIV S-04-2124 MCE GGH P

12 vs.

13 TERESA SCHWARTZ,

14 Respondent.

FINDINGS AND RECOMMENDATIONS

15 _____/
16 The court has been informed by the California Department of Corrections and
17 Rehabilitation that petitioner is deceased.

18 Accordingly, IT IS HEREBY RECOMMENDED that this action be dismissed.

19 These findings and recommendations are submitted to the United States District
20 Judge assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within twenty
21 days after being served with these findings and recommendations, any party may file written
22 objections with the court and serve a copy on all parties. Such a document should be captioned
23 “Objections to Magistrate Judge’s Findings and Recommendations.” Any reply to the objections
24 shall be served and filed within ten days after service of the objections. The parties are advised

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1 that failure to file objections within the specified time may waive the right to appeal the District
2 Court's order. Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

3 DATED: 03/03/08

/s/ Gregory G. Hollows

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5 UNITED STATES MAGISTRATE JUDGE

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